

1 BY

Rich

S. J. R. NO.

33

A JOINT RESOLUTION

PROPOSING an amendment to Section 6, Article XVI,  
Constitution of the State of Texas, to  
authorize the state to make grants of  
public funds to private non-sectarian  
associations, groups and corporations  
for establishing and equipping facilities  
to assist the physically and mentally  
handicapped to become remuneratively  
employable.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 6, Article XVI, Constitution of the State of  
Texas, be amended to read as follows:

"Sec. 6. No appropriation for private or individual purposes shall  
be made, except to private non-sectarian associations, groups and  
corporations for establishing and equipping facilities designed to assist  
physically and mentally handicapped persons to become remuneratively  
employable. A regular statement, under oath, and an account of the  
receipts and expenditures of all public money shall be published annually,  
in such manner as shall be prescribed by law."

Sec. 2. The foregoing constitutional amendment shall be submitted  
to a vote of the qualified voters of this state at an election to be held  
on the first Tuesday after the first Monday in November, 1966, at which  
election all ballots shall have printed on them the following:

"FOR the constitutional amendment authorizing grants of public  
funds to private non-sectarian groups for establishing and equipping  
facilities to assist the physically and mentally handicapped to become  
remuneratively employable.

"AGAINST the constitutional amendment authorizing grants of public  
funds to private non-sectarian groups for establishing and equipping  
facilities to assist the physically and mentally handicapped to become  
remuneratively employable."

Sec. 3. The Governor of the State of Texas shall issue the necessary  
proclamation for the election and this amendment shall be published in  
the manner and for the length of time as required by the constitution  
and laws of this state.

Austin, Texas

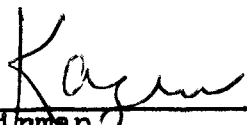
April 14 1965

Honorable Preston Smith

President of the Senate

Sir:

We, your Committee on Constitutional Amendments,  
to which was referred SJR B. No. 33, have had the same under  
consideration, and I am instructed to report it back to the Senate  
with the recommendation that it do not pass, but that the Committee  
Substitute adopted in lieu thereof do pass and be printed.

  
Chairman

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1 COMMITTEE SUBSTITUTE FOR S. J. R. NO. 33  
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7 A JOINT RESOLUTION  
8

9 PROPOSING an amendment to Section 6, Article XVI,  
10 Constitution of the State of Texas, to authorize  
11 state participation in programs financed with  
12 funds from private or federal sources and  
13 conducted by local level or other private, non-  
14 sectarian associations, groups, and non-profit  
15 organizations for establishing and equipping  
16 facilities for assisting the blind, crippled, or  
17 otherwise physically or mentally handicapped  
18 in becoming gainfully employed, for their  
19 rehabilitation or restoration, or for providing  
20 other services essential for the better care  
21 and treatment of the handicapped.  
22

23 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
24

25 Section 1. That Section 6, Article XVI, Constitution of the State of  
26 Texas, be amended to read as follows:

27 "Sec. 6. (a) No appropriation for private or individual purposes  
28 shall be made, unless authorized by this Constitution. A regular state-  
29 ment, under oath, and an account of the receipts and expenditures of all  
30 public money shall be published annually, in such manner as shall be  
31 prescribed by law.

32 "(b) State agencies charged with the responsibility of providing  
33 services to those who are blind, crippled, or otherwise physically or  
34 mentally handicapped may accept money from private or federal sources,  
35 designated by the private or federal source as money to be used in and  
36 establishing and equipping facilities for assisting those who are blind,  
37 crippled, or otherwise physically or

mentally handicapped in becoming  
38 gainfully employed, in rehabilitating and restoring the handicapped, and  
39 in providing other services determined by the state agency to be essential  
40 for the better care and treatment of the handicapped. Money accepted  
41 under this subsection is state money. State agencies may spend money  
42 accepted under this subsection, and no other money, for specific pro-  
43 grams and projects to be conducted by local level or other private, non-  
44 sectarian associations, groups, and non-profit organizations, in establish-  
45 ing and equipping facilities for assisting those who are blind, crippled,  
46 or otherwise physically or mentally handicapped in becoming gainfully  
47 employed, in rehabilitating and restoring the handicapped, and in provid-  
48 ing other services determined by the state agency to be essential for the  
49 better care or treatment of the handicapped.

50 "The state agencies may deposit money accepted under this subsec-  
51 tion either in the state treasury or in other secure depositories. The  
52 money may not be expended for any purpose other than the purpose for  
53 which it was given. ^The state agencies may expend money accepted under  
54 this subsection without the necessity of an appropriation, unless the  
55 Legislature, by law, requires that the money be expended only on appro-  
56 priation. The Legislature may prohibit state agencies from accepting  
57 money under this subsection or may regulate the amount of money ac-  
58 cepted, the way the acceptance and expenditure of the money is adminis-  
59 tered, and the purposes for which the state agencies may expend the  
60 money. Money accepted under this subsection for a purpose prohibited by  
C1641 61 the Legislature shall be returned to the entity that gave the money.

Notwithstanding any other provision of this Constitution,

1 "This subsection does not prohibit state agencies authorized to  
2 render services to the handicapped from contracting with privately-  
3 owned or local facilities for necessary and essential services, subject to  
4 such conditions, standards, and procedures as may be prescribed by  
5 law."

6 Sec. 2. The foregoing constitutional amendment shall be submitted to  
7 a vote of the qualified voters of this state at an election to be held on the  
8 first Tuesday after the first Monday in November, 1966, at which election  
9 all ballots shall have printed on them the following:

10 "FOR the constitutional amendment authorizing assistance to the  
11 blind, crippled, or otherwise physically or mentally handicapped, in the  
12 form of grants of public funds, obtained from private or federal sources  
13 only, to local level or other private, non-sectarian associations, groups,  
14 and non-profit organizations for establishing and equipping facilities to  
15 assist the handicapped in becoming gainfully employed, for their rehabili-  
16 tation or restoration, or for providing other services essential for the  
17 better care and treatment of the handicapped."

18 "AGAINST the constitutional amendment authorizing assistance to the  
19 blind, crippled, or otherwise physically or mentally handicapped, in the  
20 form of grants of public funds, obtained from private or federal sources  
21 only, to local level or other private, non-sectarian associations, groups,  
22 and non-profit organizations for establishing and equipping facilities to  
23 assist the handicapped in becoming gainfully employed, for their rehabili-  
24 tation or restoration, or for providing other services essential for the  
25 better care and treatment of the handicapped."

26 Sec. 3. The Governor of the State of Texas shall issue the necessary  
27 proclamation for the election and this amendment shall be published in  
28 the manner and for the length of time as required by the constitution and  
29 laws of this state.

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Amendment # 1

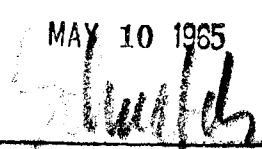
by R. Ruth

Amend Committee Substitute for S.J.R. 33 by amending  
Section 1 which amends Section 6, <sup>Article XVI of the Constitution</sup> by adding in subsection (b)  
the following words to the beginning of the third sentence  
of the second paragraph on line 53:

"Notwithstanding any other provision of this Constitution,"

ADOPTED

MAY 10 1965

  
SECRETARY OF SENATE

FORM A

(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE REPORT

Date May 27, 1965

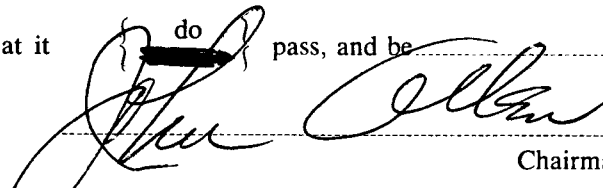
HON. BEN BARNES

Speaker of the House of Representatives.

Sir:

We, your Committee on Constitutional Amendments, to whom was referred S.J.R. No. 33, have had the same under consideration

and beg to report back with recommendation that it ~~do~~ pass, and be printed

  
Chairman.

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.

When this form is used for a simple or concurrent resolution the comma after "pass" should be changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)

By: Richter

S. J. R. No. 33

A JOINT RESOLUTION

Proposing an Amendment to Section 6, Article XVI, Constitution of the State of Texas, to authorize state participation in programs financed with funds from private or federal sources and conducted by local level or other private, nonsectarian associations, groups, and nonprofit organizations for establishing and equipping facilities for assisting the blind, crippled, or otherwise physically or mentally handicapped in becoming gainfully employed, for their rehabilitation or restoration, or for providing other services essential for the better care and treatment of the handicapped.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 6, Article XVI, Constitution of the State of Texas, be amended to read as follows:\_\_\_

"Section 6. (a) No appropriation for private or individual purposes shall be made, unless authorized by this Constitution. A regular statement, under oath, and an account of the receipts and expenditures of all public money shall be published annually, in such manner as shall be prescribed by law.\_\_\_

"(b) State agencies charged with the responsibility of providing services to those who are blind, crippled, or otherwise physically or mentally handicapped may accept money from private or federal sources, designated by the private or federal source as money to be used in and establishing and equipping facilities for assisting those who are blind, crippled, or otherwise physically or\_\_\_



mentally handicapped in becoming gainfully employed, in rehabilitating and restoring the handicapped, and in providing other services determined by the state agency to be essential for the better care and treatment of the handicapped. Money accepted under this subsection is state money. State agencies may spend money accepted under this subsection, and no other money, for specific programs and projects to be conducted by local level or other private, nonsectarian associations, groups, and nonprofit organizations, in establishing and equipping facilities for assisting those who are blind, crippled, or otherwise physically or mentally handicapped in becoming gainfully employed, in rehabilitating and restoring the handicapped, and in providing other services determined by the state agency to be essential for the better care or treatment of the handicapped.

"The state agencies may deposit money accepted under this subsection either in the state treasury or in other secure depositories. The money may not be expended for any purpose other than the purpose for which it was given. Notwithstanding any other provision of this Constitution, the state agencies may expend money accepted under this subsection without the necessity of an appropriation, unless the Legislature, by law, requires that the money be expended only on appropriation. The Legislature may prohibit state agencies from accepting money under this subsection or may regulate the amount of money accepted, the way the acceptance and expenditure of the money is administered, and the purposes for which the state agencies may expend the money. Money accepted under this subsection for a purpose prohibited by the Legislature shall be returned to the entity that gave the money.---

"This subsection does not prohibit state agencies authorized to render services to the handicapped from contracting with privately-owned or local facilities for necessary and essential services, subject to such conditions, standards, and procedures as may be prescribed by law."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified voters of this state at an election to be held on the first Tuesday after the first Monday in November, 1966, at which election all ballots shall have printed on them the following:\_\_\_\_\_

"FOR the Constitutional Amendment authorizing assistance to the blind, crippled, or otherwise physically or mentally handicapped, in the form of grants of public funds, obtained from private or federal sources only, to local level or other private, nonsectarian associations, groups, and nonprofit organizations for establishing and equipping facilities to assist the handicapped in becoming gainfully employed, for their rehabilitation or restoration, or for providing other services essential for the better care and treatment of the handicapped."\_\_\_\_\_

"AGAINST the Constitutional Amendment authorizing assistance to the blind, crippled, or otherwise physically or mentally handicapped, in the form of grants of public funds, obtained from private or federal sources only, to local level or other private, nonsectarian associations, groups, and nonprofit organizations for establishing and equipping facilities to assist the handicapped in becoming gainfully employed, for their rehabilitation or restoration, or for providing other services essential for the better care and treatment of the handicapped."\_\_\_\_\_

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this state.\_\_\_\_\_

A JOINT RESOLUTION

Proposing an Amendment to Section 6, Article XVI, Constitution of the State of Texas, to authorize state participation in programs financed with funds from private or federal sources and conducted by local level or other private, nonsectarian associations, groups, and nonprofit organizations for establishing and equipping facilities for assisting the blind, crippled, or otherwise physically or mentally handicapped in becoming gainfully employed, for their rehabilitation or restoration, or for providing other services essential for the better care and treatment of the handicapped.

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"(b) State agencies charged with the responsibility of providing services to those who are blind, crippled, or otherwise physically or mentally handicapped may accept money from private or federal sources, designated by the private or federal source as money to be used in and establishing and equipping facilities for assisting those who are blind, crippled, or otherwise physically or

mentally handicapped in becoming gainfully employed, in rehabilitating and restoring the handicapped, and in providing other services determined by the state agency to be essential for the better care and treatment of the handicapped. Money accepted under this subsection is state money. State agencies may spend money accepted under this subsection, and no other money, for specific programs and projects to be conducted by local level or other private, nonsectarian associations, groups, and nonprofit organizations, in establishing and equipping facilities for assisting those who are blind, crippled, or otherwise physically or mentally handicapped in becoming gainfully employed, in rehabilitating and restoring the handicapped, and in providing other services determined by the state agency to be essential for the better care or treatment of the handicapped.

"The state agencies may deposit money accepted under this subsection either in the state treasury or in other secure depositories. The money may not be expended for any purpose other than the purpose for which it was given. Notwithstanding any other provision of this Constitution, the state agencies may expend money accepted under this subsection without the necessity of an appropriation, unless the Legislature, by law, requires that the money be expended only on appropriation. The Legislature may prohibit state agencies from accepting money under this subsection or may regulate the amount of money accepted, the way the acceptance and expenditure of the money is administered, and the purposes for which the state agencies may expend the money. Money accepted under this subsection for a purpose prohibited by the Legislature shall be returned to the entity that gave the money.

"This subsection does not prohibit state agencies authorized to render services to the handicapped from contracting with privately-owned or local facilities for necessary and essential services, subject to such conditions, standards, and procedures as may be prescribed by law."

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Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this state.

S. J. R. No. 33

\_\_\_\_\_  
Lieutenant Governor  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S. J. R. No. 33 passed the Senate on  
May 10, 1965, by the following vote: Yeas 28, Nays 1.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S. J. R. No. 33 passed the House on  
May 27, 1965, by the following vote: Yeas 139, Nays 2.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

6-17-65

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
8:45 P.M. 10'CLOCK

JUN 20 1965

*Granford C. Martin*  
\_\_\_\_\_  
Secretary of State

S. J. R. No. 33 By Richt

A JOINT RESOLUTION

**PROPOSING** an amendment to Section 6, Article XVI, Constitution of the State of Texas, to authorize the state to make grants of public funds to private non-sectarian associations, groups and corporations for establishing and equipping facilities to assist the physically and mentally handicapped to become remuneratively employable.

**FEB 23 1965**

Read first time  
and referred to Committee  
on Constitutional Amendments

**APR 14 1965**

**REPORTED ADVERSELY, WITH  
FAVORABLE COMMITTEE SUBSTITUTE,  
COMMITTEE SUBSTITUTE READ 1ST TIME.**

**MAY 10 1965**

Regular order of business suspended by unanimous consent to permit consideration.

**MAY 10 1965**

**READ SECOND TIME, amended  
AND ORDERED ENGROSSED .**

**MAY 10 1965**

Senate Rule 32 and  
Constitutional Rule (Sec. 32, Art. III)  
suspended by a vote of 25 yeas,  
1 nays, to place bill on third  
reading and final passage.

**MAY 10 1965**

**READ THIRD TIME AND PASSED  
BY THE FOLLOWING VOTE:**

Yeas 28 Nays 1

Charles Schnabel  
Secretary of the Senate

5-10-65 Engrossed  
Engrossing Clerk

By: Richter

S. J. R. No. 33

A JOINT RESOLUTION

Proposing an Amendment to Section 6, Article XVI, Constitution of the State of Texas, to authorize state participation in programs financed with funds from private or federal sources and conducted by local level or other private, nonsectarian associations, groups, and nonprofit organizations for establishing and equipping facilities for assisting the blind, crippled, or otherwise physically or mentally handicapped in becoming gainfully employed, for their rehabilitation or restoration, or for providing other services essential for the better care and treatment of the handicapped.\_\_\_\_\_

2-23-65 Read first time and referred to Committee on Constitutional Amendments.\_\_\_\_\_

4-14-65 Reported adversely, with favorable committee substitute. Committee substitute read first time.\_\_\_\_\_

5-10-65 Regular order of business suspended by unanimous consent to permit consideration.\_\_\_\_\_

5-10-65 Read second time, amended and ordered engrossed.\_\_\_\_\_

5-10-65 Senate Rule 32 and Constitutional Rule (Sec. 32, Art. II) suspended by a vote of 25 Yeas, 1 Nay, to place bill on third reading and final passage.\_\_\_\_\_

5-10-65 Read third time and passed by the following vote: Yeas 28, Nays 1.\_\_\_\_\_

Charles Schnabel, Secretary of the Senate

5-10-65 Engrossed.\_\_\_\_\_

*Essie Mc Ginnis*  
ENGROSSING CLERK

MAY 11 1965

SENT TO HOUSE

MAY 11 1965

Received from  
the Senate.

*Dorothy Hallman*  
Chief Clerk, House of Representatives

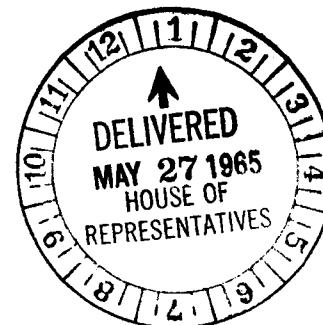
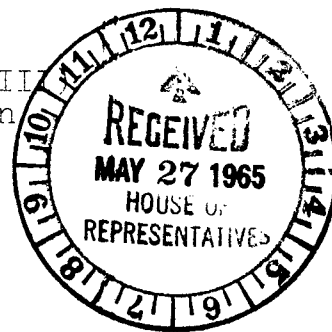
MAY 12 1965

READ 1st TIME  
AND REFERRED TO COMMITTEE ON  
*Constitutional Amendments*

MAY 27 1965 REPORTED FAVORABLY

A.M.

SENT TO PRINTER



MAY 27 1965

MOTION TO RECONSIDER THE VOTE BY WHICH *S.J.R. # 33* WAS ADOPTED / ~~RECEIVED~~ AND TO TABLE THE MOTION TO RECONSIDER PREVAILED PASSED BY A *Yeas - 28* NAYS *1* VOTE ☒

*Dorothy Hallman*  
CHIEF CLERK HOUSE OF REPRESENTATIVES

MAY 27 1965 RETURNED TO SENATE

MAY 27 1965 RETURNED FROM PRINTER. SENT TO SPEAKER

MAY 28 1965  
RETURNED  
FROM HOUSE

MAY 27 1965

Regular order of business suspended by  
~~unanimous consent~~ to permit consideration.  
*division vote*

*Dorothy Hallman*  
Chief Clerk, House of Representatives